IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

-

WRIT PETITION NO : 4504 of 2005

Between:

Sri Hameeduddin Ahmed, S/o.Late Faseehuddin Ahmed,
R/o.H.No.1-2-559, Domalguda, Hyderabad.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Municipal Administration & Urban, Development Department, Secretariat, Hyderabad, rep.by its Principal Secretary.
2 Mohd Muneeruddin, S/o.Late Mohd Jahangir,
R/o.H.No.8-2-322, Road No.7, Banjara Hills, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order, or Direction, more particularly one in nature of writ of Mandamus directing the 1st Respondent to consider and dispose of the Statutory Revision dt.22-12-2003 filed by the petitioner under sec.679 of Hyderabad Municipal Corporation Act, 1955 in Govt. Memo No.23943/M1/2003-7, within four weeks from today and consequently declare the inaction of the 1st Respondent in disposing of the statutory Revision dt.22-12-2003 since last one year as bad in law and against Administrative Jurisprudence, in the Interest of Justice.

Counsel for the Petitioner:MR.B.SUDHAKAR REDDY & ASSOCIATES

Counsel for the Respondent No.1 : GP FOR MUNCIPAL ADMN. & URBAN DEV.

The Court, at the stage of admission, made the following :

ORDER:

Petitioner states that he filed a revision under Section 679 of the Municipal Corporation Act before the 1st respondent assailing the permission of construction granted in favour of the 2nd respondent. His grievance is that though more than one and half years have elapsed, the 1st respondent has not taken any steps to dispose of the same, and seeks appropriate directions.

Heard the learned counsel for the petitioner and the learned Government Pleader for Municipal Administration.

Petitioner availed the remedy of revision under Section 679 of the Act, feeling aggrieved by the grant of construction permission in favour of the 2nd respondent. From the record, it is evident that the revision was taken on file and certain dates of hearing were also fixed. If the revision is kept pending for years together, that too without granting any interim order, the very purpose of filing it would be defeated. The 1st respondent ought to have passed appropriate orders either in the revision or in the stay application to protect the interest of the parties.

Hence, the writ petition is disposed of directing that the 1st respondent shall dispose of the revision filed by the petitioner within four weeks from today, and in case it finds any difficulty in disposing of the revision, it shall consider the feasibility of passing

appropriate interim orders. There shall be no order as to costs.

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(L.NARASIMHA REDDY,J)

Date: 09-03-2005

Note: Office to issue c.c.

in two days.

(B/o.)

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To

1. The Principal Secretary, Government of Andhra Pradesh, Municipal Administration & Urban Development Department, Secretariat, Hyderabad.

2. Two C.Cs. to the Government Pleader for Municipal Administration and Urban Development, High Court of A.P., Hyderabad. (O.U.T.)

3. Two C.D. copies.